IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s):	Jeong-Ho Lee et al.		
Title:	Liquid Crystal Display and Thin Film Transistor Array Panel Therefor		
Serial No.:	**10/813,304**	**Filing Date:**	**March 31, 2004**
Examiner:	**Dung T. Nguyen**	Group Art Unit:	2871
Docket No.:	AB-1703 US	Confirmation No.:	5202

Irvine, California
January 29, 2009

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Commissioner for Patents
P.O. Box 1450
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PRE-APPEAL BRIEF REQUEST FOR REVIEW

Dear Sir:

This communication is in response to the Advisory Action dated December 30, 2008 and further in regard to the Final Office Action dated October 30, 2008. No amendments are being filed with this request.

This request is being filed with a Notice of Appeal.

The review is requested for the reason(s) stated in the Remarks below.

Remarks

Claims 1, 4-6, 14-17, and 19-23 are pending in the application. Claims 1 and 4-6 have been indicated by the Examiner as being allowable. Of the remaining claims, Claim 14 is independent. Accordingly, once allowability of that claim is established, all claims depending therefrom are likewise allowable.

Claim 14 was rejected under 35 U.S.C. 102(e) are being anticipated by Takeda et al. (U.S. Patent No. 7,224,421), herein referred to as "Takeda".

Claim 14 recites, "a pixel electrode formed directly on the first passivation layer . . . the pixel electrode having a cutout; and a protrusion formed directly on at least a portion of the first passivation layer".

Preliminarily, it is unclear to Applicants what the Examiner was trying to convey in the Advisory Action dated December 30, 2008 in which the Examiner states, "It should be noted that the protrusion 20C forming by part of the layer 43 and the element 314 that directly formed over the layer 43 as claimed as well". As best understood by Applicants, the Examiner's statement appears to be saying that the passivation layer 43 is formed on itself. Accordingly, Applicants fail to understand the relevance of such a statement.

As shown in Figure 4 Applicants disclose, "A plurality of protrusions 280 are formed on the passivation layer 180 opposite the data line 171" [¶0085]. "The protrusions 280 are disposed between the pixel electrodes 190" [¶0091]. As shown in Applicants' Figure 7A, a passivation layer 180 is formed and exposed through a photo-mask 500 [¶0116]. Thereafter, as shown in Applicants' Figure 8A, "an organic layer is coated and patterned by photolithography to form a plurality of protrusions 280" [¶0117].

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In contrast to Applicants' separately claimed elements of a passivation layer and a protrusion formed directly on the passivation layer, Takeda discloses a protrusion 20C that is formed of multiple layers including a channel protection film 314, a metal film 321, and a passivation layer 43.

More specifically, Figures 53H-53J of Takeda show process steps for producing the TFT substrate according to the eighth embodiment shown in Figure 52. First, a channel protection film 314 is formed (Figure 53D) followed by a metal film 321 (Figure 53E), a passivation film 43 (Figure 53H), an ITO film 34 (Figure 53I), and a pixel electrode 13 with slits are then formed (Figure 53J). Takeda then discloses, "According to this embodiment as described above, the protrusion 20C is formed in the slit 21 of the pixel electrode 13". In other words, as indicated above and apparently by the Examiner as noted in the Advisory Action ("protrusion 20C forming in part of layer 43 and the element 314"), the protrusion 20C of Takeda is formed via multiple layers. As such, in contrast to Applicants' claimed thin film transistor array panel comprising the separate elements of a passivation layer and "a protrusion formed directly on at least a portion of the first passivation layer", Takeda discloses a protruding passivation film 43 included as one layer of the multiple layers of the protrusion 20C.

As result of the protrusion 20C of Takeda being formed of multiple layer, the height of the protrusion 20C is dependent at least in part on the thickness of the passivation layer 43. However, in the present invention, the height of the protrusion 280 is not dependent on the thickness of the passivation layer 180 since Applicants' passivation layer 180 does not form any part of the protrusion 280.

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For at least these reasons, Applicants respectfully submit that independent Claim 14 and all claims depending therefrom are patentable.

Conclusion

Authorization is given to charge any fees due or credit any overpayments in regard to this communication to deposit account 50-2257. If the Examiner has any questions or concerns, a telephone call to the undersigned at (949) 752-7040 is welcomed and encouraged.

Certification of Electronic Transmission
I hereby certify that this paper is being electronically transmitted to the U.S. Patent and Trademark Office on the date shown below.

Nuo Qu — **January 29, 2009** Date of Signature

Respectfully submitted,

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